

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MOONBUG ENTERTAINMENT	:
LIMITED, et al.,	:
	:
Plaintiffs,	:
	:
-against-	:
	:
BABYTEE STORE, et al.,	:
	:
Defendants.	:
	:
-----X	:

22-cv-2032 (VSB)

SEALED ORDER

VERNON S. BRODERICK, United States District Judge:

I am in receipt of Plaintiff Moonbug Entertainment Limited and Ele Bebe Productions Limited's sealed (1) Complaint, (2) Proposed TRO & Schedule A, (3) Memorandum of Law in Support of Ex Parte Application for TRO, (4) Declaration of Gabriela N. Nastasi, (5) Summons, (6) Civil Cover Sheet, (7) Rule 7.1 Statement, (8) AO120, (9) Order Temporarily Sealing the File, and (10) Enclosed CD (containing the aforementioned materials, additional exhibits, and a Declaration of Rob Miller).

It is hereby ORDERED that Counsel for Plaintiffs shall appear before me to address the issues raised in the materials on Friday, March 18, 2022 at 4:00 p.m. The dial-in information for the conference is as follows: 1-888-363-4749, conference code 2682448.

Specifically, Counsel for Plaintiffs should be prepared to answer the following questions for the Court:

1. For those products for which Plaintiffs provided an "Order Confirmation," the confirmation says, "This order is being verified, which may take up to 24 hours to

complete.” (Exh. C.) Did Plaintiffs receive any further confirmation that the orders were verified? If so, what did the additional confirmation say?

2. How many of the allegedly counterfeit products were in fact shipped to New York?

Which of the allegedly counterfeit products were in fact shipped to New York? Is there any evidence in the record of any Defendants shipping products to New York?

3. How does availability of the New York Address during the checkout process, without confirming actual shipments to New York, establish personal jurisdiction over Defendants?

4. Is there any evidence in the record of any Defendants advertising to New York consumers?

5. Do any of Plaintiffs’ “authorized agents, authorized licensees or authorized distributors” offer products for sale with the Little Baby Bum Marks on Alibaba and/or AliExpress?

6. How did Plaintiffs confirm that Defendants “are not, and have never been, authorized by Plaintiffs or any of their authorized agents, authorized licensees or authorized distributors . . . to use the Little Baby Bum Marks”? (Compl. ¶ 32.)

7. Have Plaintiffs determined that each Defendant is selling counterfeit products? If so, was a comparison done between “true and correct images of Plaintiffs’ authentic Little Baby Bum Products” and the counterfeit products sold by each Defendant? Did Plaintiffs compare the counterfeit products sold by each Defendant to any other true and correct images of Plaintiffs’ authentic Little Baby Bum Products, aside from those images provided in the Complaint and related exhibits? (*See* Complaint Exh. A; Nastasi Exh. B.)

SO ORDERED.

Dated: March 15, 2022
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive style with a large, stylized 'V' and 'B'.

Vernon S. Broderick
United States District Judge